

Attorney's Docket No. 35718/263948

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Abad *et al.* Confirmation No.: Not yet assigned  
Appl. No.: 10/606,320 Art Unit: Not yet assigned  
Filed: June 25, 2003 Examiner: Not yet assigned  
For: GENES ENCODING PROTEINS WITH PESTICIDAL ACTIVITY

November 3, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a Supplemental Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US03/20027 not more than three months prior to the filing of this Statement.

In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The Search Report is enclosed along with any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

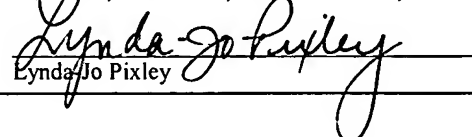


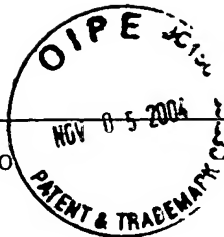
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 3, 2004.

  
Lynda Jo Pixley



Substitute for form 1449/PTO  
(Revised 04/2003)

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

## Complete if Known

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/606,320       |
| Filing Date            | June 25, 2003    |
| First Named Inventor   | Abad             |
| Group Art Unit         | Not yet assigned |
| Examiner Name          | Not yet assigned |
| Attorney Docket Number | 35718/263948     |

## U. S. PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. | Document Number<br>Number - Kind Code (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages of Relevant Figures<br>Appear |
|-----------------------|-------------|--|--------------------------------|--|---|
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## FOREIGN PATENT DOCUMENTS

| Examiner<br>Initials | Cite<br>No. | Foreign Patent Document<br>Country Code - Number Kind Code<br>(if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | English<br>Language<br>Translation<br>Attached |
|----------------------|-------------|--|--------------------------------|---|--|--|
|                      | 38          | WO 03/018810 A2  | 03-06-2003                     | Syngenta<br>Participations AG                         |  |  |
|                      |             |  |                                |   |  |  |

## OTHER DOCUMENTS

| Examiner<br>Initials | Cite<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) , volume-issue number(s),<br>publisher, city and/or country where published. | English Language<br>Translation Attached |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.